

REMARKS

Claims 1-18 have been canceled without prejudice or disclaimer. Claims 19-34 have been added and therefore are pending in the present application. New claims 19-34 are supported by the specification and claims as originally filed.

The title of the invention has been amended to more accurately define the claimed invention, as suggested by the Examiner.

It is respectfully submitted that the present amendment presents no new issues or new matter and places this case in condition for allowance. Reconsideration of the application in view of the above amendments and the following remarks is requested.

I. Specification

The Examiner states that the title of the invention is not descriptive and suggests a new title. Applicants have adopted the Examiner's suggested title to more accurately define the claimed invention.

II. Claim Objections

Claims 1 and 17 are objected to for a grammatical error, in particular, the need to introduce the article "the" before the term "pl."

The new claims overcome this objection. Applicants respectfully request reconsideration and withdrawal of the claim objections.

III. The Rejection of Claims 1-18 under 35 U.S.C. 112 (Enablement Rejection)

Claims 1-18 are rejected under 35 U.S.C. 112 as allegedly lacking enablement. The Examiner states that the claims are enabled for the cloud point extraction of "hydrophobic polypeptides," but not for the cloud point extraction of "any polypeptides."

In order to expedite prosecution, the new claims recite the cloud point extraction of "hydrophobic polypeptides."

For the foregoing reasons, Applicants submit that the claims overcome this enablement rejection under 35 U.S.C. 112. Applicants respectfully request reconsideration and withdrawal of the rejection.

IV. The Rejection of Claims 1-18 under 35 U.S.C. 112 (Indefiniteness Rejection)

(a) Claims 1-18 are rejected under 35 U.S.C. 112 as allegedly indefinite. The Examiner states that it is unclear what the term "close" to the pI means in claim 1. The Examiner states that it is unclear what is meant by the phrase "(pH-pI)" and the numerical ranges of "-3 to +1" and "-2 to -1" in claims 5 and 6.

In order to expedite prosecution, new independent claim 19 recites:

adjusting the pH of the hydrophobic polypeptide of interest to a pH in the range of 3 pH units less than the pI of the hydrophobic polypeptide of interest to 1 pH unit greater than the pI of the hydrophobic polypeptide of interest.

Similarly, new dependent claim 23 recites:

adjusting the pH of the hydrophobic polypeptide of interest to a pH in the range of 2 pH units less than the pI of the hydrophobic polypeptide of interest to 1 pH unit less than the pI of the hydrophobic polypeptide of interest.

It is respectfully submitted that the new claims render the indefiniteness rejections based on the term "close" and the numerical ranges moot.

(b) Claim 13 is rejected as indefinite by the use of the term "preferable." It is respectfully submitted that the new claims render this rejection moot.

(c) Claim 18 is rejected as indefinite on the basis that it is not clear what constitutes a "clarified" broth. It is respectfully submitted that the new claims render this rejection moot.

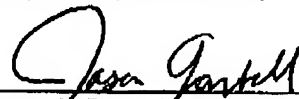
For the foregoing reasons, Applicants submit that the claims overcome the indefiniteness rejections under 35 U.S.C. 112. Applicants respectfully request reconsideration and withdrawal of the rejection.

V. Conclusion

In view of the above, it is respectfully submitted that all claims are in condition for allowance. Early action to that end is respectfully requested. The Examiner is hereby invited to contact the undersigned by telephone if there are any questions concerning this amendment or application.

Respectfully submitted,

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